

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MATTHEW CLARK and GREGORY)	
MALANDRUCCO,)	
)	
Plaintiffs,)	Case No. 10-cv-1803
)	
v.)	
)	Judge Der-Yeghiayan
CITY OF CHICAGO, et al.)	Magistrate Judge Cox
)	
Defendants.)	
)	
)	JURY TRIAL DEMANDED

PLAINTIFFS' MOTION TO DISMISS DEFENDANT OFFICER JOHN REPPAS

Now come Plaintiffs Matthew Clark and Gregory Malandrucco, by and through their attorneys, LOEVY & LOEVY, and respectfully move this Court to dismiss Officer John Reppas as a defendant in this action. In support of their motion, Plaintiffs state as follows:

1. Plaintiffs named Officer Reppas as a defendant in this action because Defendant City of Chicago listed Officer Reppas as one of the uniformed officers who responded to the scene where Plaintiffs were assaulted in the City's Response to Plaintiffs' First Set of Interrogatories.
2. Defendant's counsel and the counsel for the City have subsequently represented to Plaintiffs' counsel that Officer Reppas did not respond to the scene of the attack but was a reporting officer, who responded to Plaintiffs at Plaintiff Matthew Clark's home shortly after the attack.
3. Based on this information, Plaintiffs voluntarily agree to dismiss Officer Reppas as a defendant in this action without prejudice and without costs.

Conclusion

WHEREFORE, Plaintiffs respectfully request that the Court enter an order dismissing Defendant Officer John Reppas as a defendant in this action without prejudice and without costs.

Respectfully submitted,

/s/ Heather Lewis Donnell
Attorneys for Plaintiff

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CERTIFICATE OF SERVICE

I, Heather Lewis Donnell, certify that on January 3, 2011, I served via email and the Court's CM/ECF system to all counsel of record PLAINTIFFS' MOTION TO DISMISS DEFENDANT OFFICER JOHN REPPAS.

/s/ Heather Lewis Donnell